

REMARKS

Claims 2-4, 9 and 10 are pending. By this Amendment claims 1 and 5-8 are canceled without prejudice or disclaimer and claims 2, 9 and 10 are amended. Reconsideration in view of the above amendments and following remarks is respectfully requested.

Claims 1-10 were rejected under 35 U.S.C. § 102(e) over Murase et al. (U.S. Patent 6,611,655). The rejection is respectfully traversed.

Claims 1 and 5-8 have been canceled without prejudice or disclaimer, thus rendering moot their rejection.

Claim 2 recites, *inter alia*, a digital recording/reproducing apparatus in which an information medium for storing audio-visual information corresponding to a plurality of types of audio languages and sound mode information associated with these audio languages is used to perform recording or reproducing based on at least one of different first and second formats. Claim 2 further recites, *inter alia*, wherein the specified audio language is automatically utilized in recording or reproducing based on said second format, when the specified audio language set in said first format is applied to said second format.

The Examiner alleges, on page 3, lines 7-9, that Murase et al. disclose that the specified audio language is utilized in recording or reproducing based on the second format, when the specified audio language set in said first format is applied to said second format, in column 15, line 56 through column 16, line 21 and in column 29, lines 35-48. However, A\_ATR0 (audio stream 1 attributes) and A\_ATR1 (audio stream 2 attributes) are both defined in the same format, in particular the DVD-Video Recording format. Accordingly, Murase et al. do not disclose or suggest recording or reproducing based on at least one of different first and second formats, as recited in claim 2. Murase et al. thus cannot anticipate or render obvious claim 2.

Claims 3, 4 and 9 recite additional features of the invention and are allowable for the reasons discussed above with respect to claim 2 and for the additional features recited therein.

Claim 10 recites a digital recording/reproducing method in which an information medium for storing audio-visual information corresponding to a plurality of types of audio languages and sound mode information associated with these audio languages is used to perform recording or reproducing based on at least one of different first and second formats.

As discussed above, Murase et al. do not disclose or suggest, at least, recording or reproducing based on at least one of different first and second formats. Therefore, Murase et al. cannot anticipate or render obvious claim 10.

In view of the above amendments and remarks, it is respectfully submitted that all of the claims are allowable and the entire application is in condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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